

**THE ATKIN FIRM, LLC**

Formed in the State of New Jersey

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*Attorneys for Plaintiff Strike 3 Holdings, LLC*

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

STRIKE 3 HOLDINGS, LLC,

Plaintiff,

v.

JOHN DOE subscriber assigned IP  
address 173.63.166.25,

Defendant.

Case No. 2:20-cv-10202-SRC-CLW

**NOTICE OF APPEAL OF  
MAGISTRATE JUDGE'S ORDER**

**TO: ALL COUNSEL OF RECORD IN THE ABOVE CAPTIONED  
MATTER**

**PLEASE TAKE NOTICE** that on October 5, 2020, at 9:30 a.m., or as soon thereafter as counsel may be heard, the undersigned attorneys for Plaintiff Strike 3 Holdings, LLC ("Plaintiff") will move before the Honorable Stanley R. Chesler, U.S.D.J., of the United States District Court for the District of New Jersey, at the Martin Luther King Building & U.S. Courthouse, 50 Walnut Street, Newark, NJ

07101, for an Order reversing the Magistrate Judge's Text Order denying Plaintiff leave to file a motion to conduct limited early discovery subject to a protective order, ECF No. 4, pursuant to 18 U.S.C. § 636, Federal Rule of Civil Procedure 72, and Local Civil Rule 72.1.

**PLEASE TAKE FURTHER NOTICE** that in support of this Appeal, Plaintiff will rely upon the accompanying Brief and Certification of John C. Atkin, Esq., with attached exhibits, submitted herewith; any reply papers in support of this Motion; and oral argument, if any.

**PLEASE TAKE FURTHER NOTICE** that pursuant to Local Civil Rule 7.1(e), a proposed form of order is also submitted herewith for the Court's consideration.

DATED: September 7, 2020

Respectfully submitted,

**THE ATKIN FIRM, LLC**

*Attorneys for Plaintiff,  
Strike 3 Holdings, LLC*

By: /s/ John C. Atkin, Esq.  
JOHN C. ATKIN